



~~February 20, 2007 CPC~~  
~~May 15, 2007 CPC~~  
~~July 17, 2007 CPC~~  
September 18, 2007 CPC

STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

07SN0241

Rowe Associates, LTD

Dale Magisterial District  
Hening Elementary, Falling Creek Middle and Meadowbrook High Schools Attendance Zones  
Northwest quadrant of Cogbill Road and Ironstone Drive

REQUEST: Amendment to Conditional Use Planned Development (Case 84SN0059) relative to buffer requirements.

PROPOSED LAND USE:

Reduction of a fifty (50) foot buffer along Cogbill Road to twenty-five (25) feet is planned (Condition 11 of Case 84SN0059). The buffer affects recorded lots in Meadowbrook Farm, Section I.

RECOMMENDATION

Recommends denial for the following reasons:

- A. The buffer reduction is in conflict with the Subdivision Ordinance.
- B. The proffered conditions do not adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions do not address the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens. However if it is determined that this proposal offers substantial upgrades to current design/development standards and Ordinance requirements, the policy suggests that it may be appropriate to accept reduced cash.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS.)

### GENERAL INFORMATION

Location:

Northwest quadrant of Cogbill Road and Ironstone Drive. Tax IDs 772-681-3493 and 4595; and 772-682-6002.

Existing Zoning:

R-9 with Conditional Use Planned Development

Size:

1.0 acre

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North and East – R-9; Vacant  
South - R-7; Single family residential or vacant  
West - R-7; Vacant

### UTILITIES AND ENVIRONMENTAL

The proposed amendment will have no impact on these facilities.

### PUBLIC FACILITIES

The need for schools, parks, libraries, fire stations, and transportation facilities in this area is identified in the County's Public Facilities Plan, Thoroughfare Plan, and Capital Improvement Program and further detailed by specific departments in the applicable sections of this request analysis. This proposal will have an impact on these facilities.

Fire Service:

The Dale Fire Station, Company Number 11, currently provides fire protection and emergency medical service. The applicant has not addressed the impact on fire services consistent with the Board's policy.

### Schools:

Currently, this site lies in the Hening Elementary School attendance zone: capacity - 838, enrollment – 963; Falling Creek Middle School zone: capacity – 1,036, enrollment – 1,036; and Meadowbrook High School zone: capacity - 1,541, enrollment - 1,902. The enrollment is based on September 29, 2006 and the capacity is as of 2006-2007. There are currently two (2) trailers at Hening Elementary and seventeen (17) at Falling Creek Middle.

The applicant has not addressed the impact on schools consistent with the Board's policy.

### Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Chesterfield County Public Facilities Plan (2004) identifies a need for additional library space throughout the County. Development of property in this area of the County would most likely affect either the Central Library or the Meadowdale Library. The Meadowdale Library will be expanded within the next two (2) years as recommended by the 2004 Public Facilities Plan.

The applicant has not addressed the impact on libraries consistent with the Board's policy.

### Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks and five (5) community centers by 2020. In addition, the Public Facilities Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan identifies shortfalls in trails and recreational historic sites.

The applicant has not addressed the impact on parks consistent with the Board's policy.

### Transportation:

The property is being developed for residential use. Vehicles generated by this development will be initially distributed along Cogbill Road, which had a 2006 traffic count of 4,466 vehicles per day between Iron Bridge Road (Route 10) and Canasta Drive. This section of Cogbill Road is acceptable (Level of Service D) for the volume of traffic it carries. No road improvement projects in this part of the county are included in the Six-Year Improvement Plan.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. The applicant has not addressed the traffic impact of this development consistent with the Board of Supervisors' Cash Proffer Policy. Without the

applicant addressing the traffic impact of the residential development, the Transportation Department cannot support this request.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	2*	1.00
Population Increase	5.44	2.72
Number of New Students		
Elementary	0.47	0.23
Middle	0.26	0.13
High	0.34	0.17
TOTAL	1.06	0.53
Net Cost for Schools	10,696	5,348
Net Cost for Parks	1,208	604
Net Cost for Libraries	698	349
Net Cost for Fire Stations	810	405
Average Net Cost for Roads	17,884	8,942
TOTAL NET COST	31,296	15,648

\*Based on an average actual density of 2.34 dwelling units per acre. The actual number of dwelling units and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries, and fire stations at \$15,648 per unit. The applicant has been advised that a maximum proffer of \$15,600 per unit would defray the cost of the capital facilities necessitated by this proposed development. The applicant has been further advised that, per policy, a development proposal's fiscal impact on capital facilities be established under the Board of Supervisors' cash proffer policy that is in effect at the time the application is submitted. Per policy, however, in instances where a development proposal includes substantial upgrades to design/development standards and Ordinance requirements, the Commission and Board may consider accepting reduced cash proffer payments. In that this application only seeks to amend conditions relative to buffers, the applicant has offered no measures to assist in defraying the cost of this proposed zoning on such capital facilities. Consequently, the county's ability to provide adequate facilities to its citizens will be adversely impacted.

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

Staff recommends the applicant address the development's impact on capital facilities. The Planning Commission and the Board of Supervisors, through their consideration of this request, may determine that there are unique circumstances relative to this request that may justify deviation from the typical cash payment.

### LAND USE

#### Comprehensive Plan:

Lies within the boundaries of the Central Area Plan which suggests the property is appropriate for 1.0 – 2.5 dwelling units per acre.

#### Zoning History:

On June 27, 1984, the subject property as well as the surrounding Residential (R-9) property which is now commonly known as Meadowbrook Farm was rezoned to allow a mixed use development consisting of zero lot line and Residential (R-9) homes as well as office and commercial uses (Case 84SN0059). Subsequently, an amendment to that case was approved in 1997 (96SN0286) to amend the Master Plan and address road improvements.

The property which is the subject of this request was designated as a single family tract (SF4) allowing 9,000 square foot lots and required to be developed in accordance with Residential (R-9) standards. In addition, Condition 11 of zoning Case 84SN0059 requires a fifty (50) foot buffer along Cogbill Road.

#### Current Proposal:

The applicant desires to reduce the required fifty (50) foot buffer to twenty-five (25) feet.

#### Development and Ordinance History:

At the time the subject property was zoned, neither the Subdivision or Zoning Ordinance required buffers along arterial roads; hence, zoning cases addressed those buffer provisions. Subsequently, various tentative plans for Meadowbrook Farm were submitted and approved. The area encompassing the request properties obtained a renewed tentative approval in July 2003, at which time, a newly enacted Subdivision Ordinance was in place. With that renewed tentative, buffer provisions of the Subdivision Ordinance are now applicable and are in addition to Zoning Ordinance requirements.

The Subdivision Ordinance and approved tentative require a fifty (50) foot buffer along Cogbill Road and that all setbacks be measured from the required buffer. The prior Subdivision Ordinance did not require that setbacks be measured from required buffers. The Subdivision Ordinance had been amended to require setbacks from buffers to insure a useable yard between the dwelling unit and the buffer. It is important to keep in mind

that the purpose of tentative renewal is to allow evaluation of unbuilt projects based upon newly adopted policies and ordinances.

If this request is approved, it will also be necessary for the applicant to seek a waiver of the Subdivision Ordinance to reduce the buffer widths.

The applicant has indicated that due to the size and configuration of the recorded lots, it is difficult to meet the buffer and setback requirements. An alternative would be to resubdivide the lots to address these concerns. It is important to note that at the time the lots were recorded, these requirements were in place.

### CONCLUSIONS

This request is inconsistent with the provisions of the Subdivision Ordinance. It would be more appropriate to delete the buffer requirement and allow the Subdivision Ordinance to address buffer and setback requirements. Approval of the requested reduction could be viewed as a circumvention of the Subdivision Ordinance.

As noted, the cash proffer policy allows the Commission and Board to consider deviation from the payment of cash in return for superior design standards. This proposal does not offer additional design standards, but rather reduces a design standard which is already in place. The proffered conditions do not offer cash to address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions do not mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

---

### CASE HISTORY

---

Planning Commission Meeting (2/20/07):

At the request of the applicant, the Commission deferred this case to May 15, 2007.

---

Staff (2/22/07):

The applicant was advised in writing that any significant new or revised information should be submitted no later than March 12, 2007, for consideration at the Commission's May 15, 2007, public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

---

Applicant (3/13/07):

The applicant paid the \$250.00 deferral fee

---

Staff (5/1/07):

To date, no new information has been received.

---

Planning Commission Meeting (5/15/07):

At the request of the applicant, the Commission deferred this case to July 17, 2007.

---

Staff (5/16/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than May 21, 2007, for consideration at the Commission's July 17, 2007, public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

---

Applicant (6/11/07):

The applicant paid the \$250.00 deferral fee.

---

Staff (7/6/07):

To date, no new information has been received.

---

Planning Commission Meeting (7/17/07):

At the request of the applicant, the Commission deferred this case to September 18, 2007.

---

Staff (7/18/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than July 23, 2007, for consideration at the Commission's September public hearing. The applicant was also advised that a \$250.00 deferral fee was due.

---

Applicant (8/2/07):h

The deferral fee was paid.

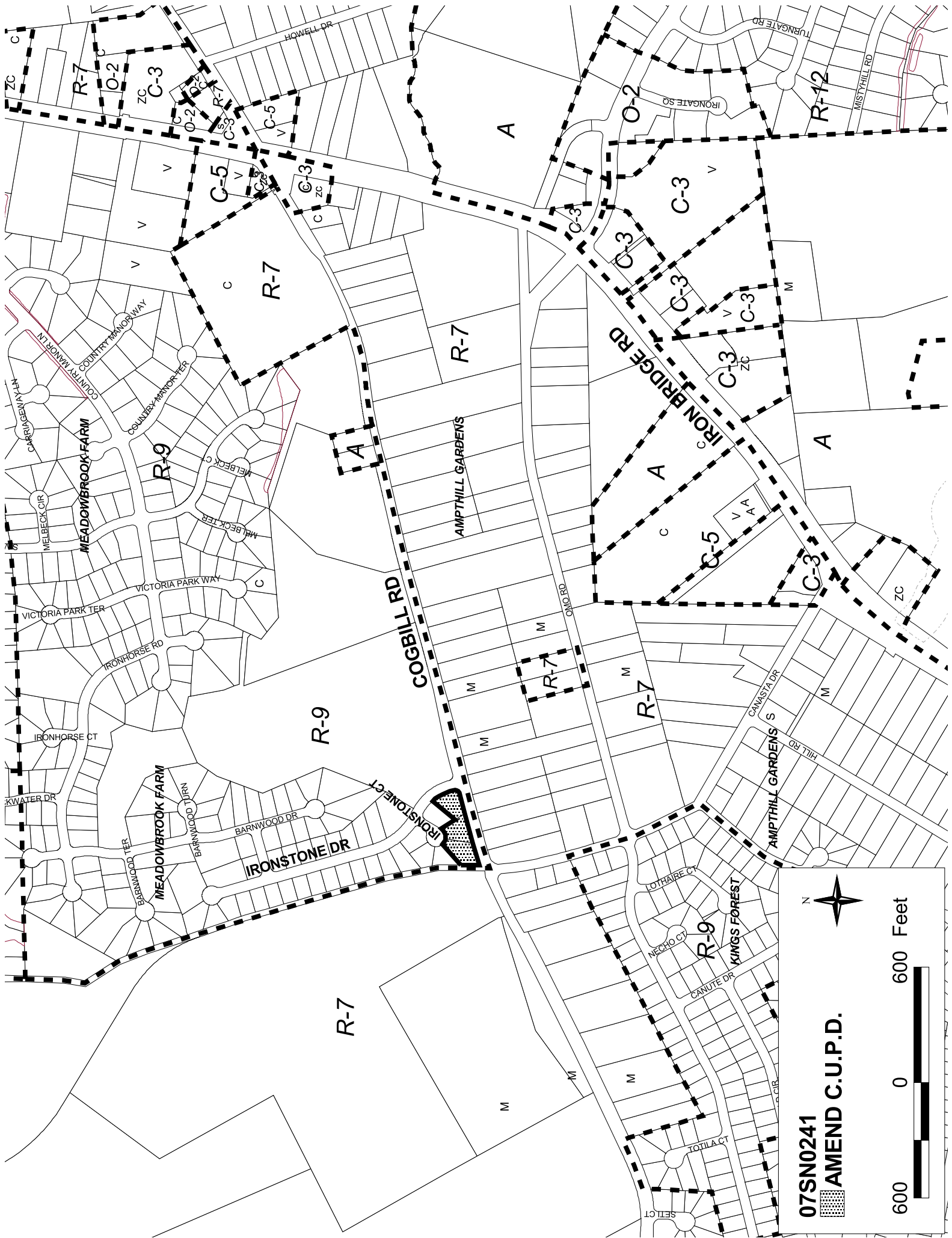
---

Staff (9/5/07):

To date, no new information has been received.

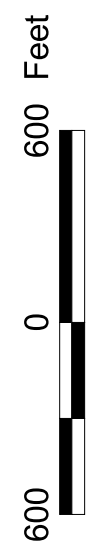
---





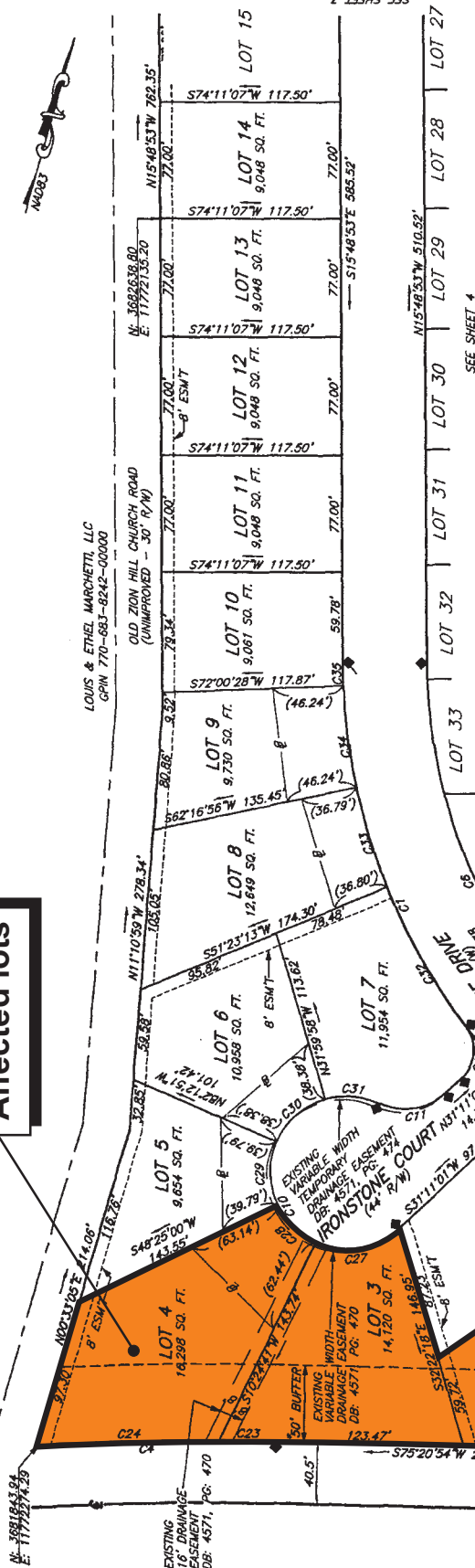
N

07SN0241  
AMEND C.U.P.D.



This page is blank.

Affected lots



CURVE	LENGTH	RADIUS	TANGENT	CHORD	BEARING	DELTA
C1	332.53'	396.93'	176.72'	539.48'	52° E	322.89'
C2	218.59'	242.50'	117.35'	437.99'	27° W	211.87'
C3	58.19'	25.00'	23.94'	437.95'	26° E	34.58'
C4	154.32'	2081.95'	77.19'	573.13'	30° W	154.28'
C5	12.34'	297.50'	6.17'	462.37'	33° W	12.34'
C6	286.45'	341.93'	152.24'	539.48'	52° E	278.15'
C7	38.59'	25.00'	24.33'	575.24'	27° W	34.87'
C8	216.25'	50.00'	74.40'	524.54'	32° E	83.00'
C9	47.34'	40.00'	26.88'	465.05'	14° E	44.62'
C10	36.65'	25.00'	22.51'	410.48'	39° W	33.45'
C11	76.27'	396.93'	36.25'	558.18'	15° E	76.15'
C12	14.58'	242.50'	7.29'	462.05'	29° W	14.58'
C13	254.73'	297.50'	135.76'	439.17'	30° W	247.02'
C14	36.65'	2081.95'	77.19'	573.13'	30° W	36.68'
C15	12.34'	297.50'	6.17'	462.37'	33° W	12.34'
C16	286.45'	341.93'	152.24'	539.48'	52° E	278.15'
C17	38.59'	25.00'	24.33'	575.24'	27° W	34.87'
C18	216.25'	50.00'	74.40'	524.54'	32° E	83.00'
C19	47.34'	40.00'	26.88'	465.05'	14° E	44.62'
C20	36.65'	25.00'	22.51'	410.48'	39° W	33.45'
C21	76.27'	396.93'	36.25'	558.18'	15° E	76.15'
C22	14.58'	242.50'	7.29'	462.05'	29° W	14.58'
C23	254.73'	297.50'	135.76'	439.17'	30° W	247.02'
C24	36.65'	2081.95'	77.19'	573.13'	30° W	36.68'
C25	12.34'	297.50'	6.17'	462.37'	33° W	12.34'
C26	286.45'	341.93'	152.24'	539.48'	52° E	278.15'
C27	38.59'	25.00'	24.33'	575.24'	27° W	34.87'
C28	216.25'	50.00'	74.40'	524.54'	32° E	83.00'
C29	47.34'	40.00'	26.88'	465.05'	14° E	44.62'
C30	36.65'	25.00'	22.51'	410.48'	39° W	33.45'
C31	76.27'	396.93'	36.25'	558.18'	15° E	76.15'
C32	14.58'	242.50'	7.29'	462.05'	29° W	14.58'
C33	254.73'	297.50'	135.76'	439.17'	30° W	247.02'
C34	36.65'	2081.95'	77.19'	573.13'	30° W	36.68'
C35	12.34'	297.50'	6.17'	462.37'	33° W	12.34'

# MEADOWBROOK FARM SECTION "I"

**BAUER**  
PLANNING & ENGINEERING  
101 Bluewing Road  
Chesterfield, MO 63017  
Phone: 636-944-0011  
Fax: 636-944-3888

SUBDIVISION IDENTIFICATION NO. 000-4974-09  
DALE DISTRICT  
CHESTERFIELD COUNTY, VIRGINIA  
DATE: July 08, 2003  
SCALE: 1"=50'

LOTS THIS SHEET 1-14  
SHEET 2 OF 4

COMMISSIONER OF VIRGINIA  
Mark B. Beall  
No. 1619  
7-06-03  
LAND SURVEYOR

APPROVED BY CHESTERFIELD COUNTY  
2.2.04  
DATE  
DIRECTOR OF PLANNING